

AO 91 (Rev. 11/11) Criminal Complaint

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Jaquane Effron Smith

Case: 2:17-mj-30434
Assigned To : Unassigned
Assign. Date : 8/29/2017
Description: CMP USA v. SEALED MATTER (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 20, 2017 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

18 U.S.C. 922(g)(1)

Offense Description

Felon in possession of a firearm

This criminal complaint is based on these facts:

See attached affidavit

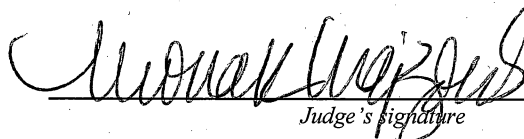
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Complainant's signature

Shannon B. Richardson, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: August 29, 2017City and state: Detroit, MI


Judge's signature

Mona K. Majzoub

Printed name and title

MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

AFFIDAVIT

I, Special Agent Shannon B. Richardson, being duly sworn, state the following:

I. INTRODUCTION AND AGENT BACKGROUND

1. I have been a Special Agent ("SA") with the Bureau of Alcohol Tobacco, Firearms and Explosives ("ATF") since November of 2015. I am currently assigned to the Detroit, Michigan, Field Division, Group 2. I am tasked with investigating violations of firearms and narcotics laws, and have been involved in numerous such investigations. Prior to my employment with ATF, I was employed by the Detroit Police Department for approximately 14 years as a police officer. During this time, I investigated violations of state of Michigan firearms and narcotic laws. In addition, I have completed both the Criminal Investigator Training Program and Special Agent Basic Training at the Federal Law Enforcement Training Center, and completed the Detroit Metropolitan Police Academy.

2. The information contained in this affidavit is based on my personal knowledge and observations during the course of this investigation, law enforcement reports that I have reviewed, and

documents and information provided to me in reference to this investigation.

3. This affidavit is in support of a complaint and arrest warrant for Jaquane Effron SMITH, (DOB **/**/1973). Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish probable cause to believe that Jaquane Effron SMITH was a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1), on or about August 20, 2017.

II. INVESTIGATION AND PROBABLE CAUSE

Possession of Firearm

4. On August 20, 2017, while on routine patrol, members of the Detroit Police Department, wearing uniforms and in a fully marked scout car, were in the area of Brentwood and Packard in Detroit, Michigan. Officers observed SMITH and another male standing in the street next to a blue Chevy pick-up truck occupied by another male.

5. One officer positioned the scout car parallel to the blue Chevy pick-up truck while another officer advised the three men that standing in the street where a sidewalk is available is a traffic offense. While the officers were talking to SMITH and the other two men, two of the officers observed an L-shaped bulge in SMITH's right-side pocket. Based on their training and experience, they believed him to be armed. One officer illuminated SMITH with a flashlight, and SMITH turned his body away from the officers in response. Officers exited the scout car.

6. One of the Officers ordered SMITH to place his hands on top of his head. Smith complied, and an officer then frisked the area of the L-shaped bulge and recovered from SMITH's right pocket a Smith and Wesson, Model 60, .38 caliber pistol, Serial Number: R293041. The pistol was loaded with four live rounds. The officers asked SMITH for a concealed pistol license, and he could not provide one. SMITH was then detained and taken without incident to the Detroit Detention Center (DDC) for processing and housing.

Interstate Nexus

7. ATF Special Agent Harry Powers, an ATF Firearms Interstate Nexus Authority, was consulted on the investigation. Based on the

information provided, he determined the above-described firearm was manufactured outside the state of Michigan. Therefore, the firearm has traveled in and affected interstate or foreign commerce. He also determined the firearm is a "firearm" as defined in 18 U.S.C. § 921.

Prior Felony History

8. I conducted a computerized criminal history check relating to SMITH, which indicated SMITH has been convicted of the following felony offenses out of the following counties:

9. Wayne County Third Circuit Court:

A. 1997 - Attempt Felony, Stolen Property – Receive and Conceal in Excess of \$100, CFN: 9600585301.

B. 2005 - Felony, Police Officer-Fleeing and Felony, Controlled Substance-Delivery/Manufacture Marijuana, CFN: 04-001282-01FH.

10. Oakland County Sixth Circuit Court:

A. 1996 - Felony, Stolen Property-Receive and Conceal in Excess of \$100, CFN: 96149455FH.

B. 1998 - Felony, Motor vehicle-Unlawful driving away, Felony, Police Officer-Fleeing, Felony, Assault with a

Dangerous Weapon, and Felony, Malicious Destruction
Fire/Police Property, CFN: 98161156FH.

C. 2005- Felony, Police Officer-Fleeing and Felony, Police
Officer- Assaulting/Resisting/Obstructing causing injury,
CFN: 2005200235FH.

11. Atlantic County Superior Court, Mays landing, New Jersey:

A. 1992- Felony, Receive Stolen Property.

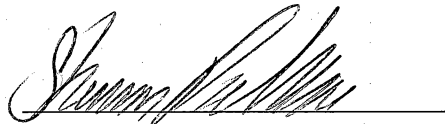
B. 1992- Felony, Receive Stolen Property and Felony,
Burglary.

C. 1992- Felony, Vehicle Theft.


III. CONCLUSION

12. Based on the above investigation, probable cause exists that Jaquane Effron SMITH, a convicted felon, possessed a firearm that had previously traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1).

Respectfully Submitted,


Shannon B. Richardson
Special Agent, ATF

Subscribed and sworn before me on August 29, 2017


Hon. Mona K. Majzoub
United States Magistrate Judge